

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FILED

JUN 17 A 11:12

Free Paid

MARTIN VOGEL and KENNETH
MAHONEY, on Behalf of Themselves and
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,
FRED ANDERSON, WILLIAM V.
CAMPBELL, MILLARD S. DREXLER,
ALBERT GORE, Jr., ARTHUR D. LEVINSON,
JEROME B. YORK and APPLE COMPUTER,
INC.,

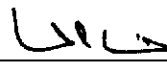
Defendants.

RICHARD W. WIEKING
CLERK
Case No. 06-05208-JF
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

NOTICE OF APPEAL

Notice is hereby given that Lead Plaintiff, The New York City Employees' Retirement System in the above named case hereby appeals to the United States Court of Appeals for the Ninth Circuit from the Judgment entered in this action on the 12th of June, 2008, Docket No. 88.

Dated: June 16, 2008


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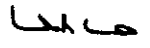
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CERTIFICATE OF SERVICE

I hereby certify the foregoing was served upon the following counsel of record via First Class Mail on June 17, 2008:


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Court Name: U.S. District Court, NDCA
Division: 5
Receipt Number: 54611003388
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NOTICE OF APPEAL/DOCKETING FEE
For: Martin Vogel, et al.
Case/Party: D-CAN-5-06-CV-005208-001
Amount: \$455.00

CHECK
Check/Money Order Num: 36034
Amt Tendered: \$455.00

Total Due: \$455.00
Total Tendered: \$455.00
Change Amt: \$0.00

Case # 06-cv-05208-JF

Checks and drafts are accepted
subject to collections and full
credit will only be given when the
check or draft has been accepted by
the financial institution on which
it was drawn.